

STATEMENT OF BASIS (AI No. 124334)

for draft Louisiana Pollutant Discharge Elimination System permit No. LA0120065 to discharge to waters of the State of Louisiana.

THE APPLICANT IS: Big R Towing, Inc.
7733 Highway 87
Jeanerette, Louisiana 70544

ISSUING OFFICE: Louisiana Department of Environmental Quality (LDEQ)
Office of Environmental Services
Post Office Box 4313
Baton Rouge, Louisiana 70821-4313

PREPARED BY: Michelle Bickham

DATE PREPARED: December 4, 2009

1. PERMIT STATUS**A. Reason For Permit Action:**

Permit reissuance of an Louisiana Pollutant Discharge Elimination System (LPDES) permit for a 5-year term.

B. LPDES permits – LA0120065
LPDES permit effective date: April 1, 2005
LPDES permit expiration date: March 31, 2010
LPDES Permit modification date: July 1, 2006

C. Date Application Received: November 5, 2009

2. FACILITY INFORMATION**A. FACILITY TYPE/ACTIVITY - mobile barge cleaning and repair facility**

Big R Towing, Inc. is a mobile barge cleaning and repair facility that cleans dry commodity barges that contain various commodities (See Attachment 1). Barge cleaning washwater from salt, barite, and sugar barges will be pumped into tanks for sequestering and not discharged. Barge cleaning wastewater from grain and coke and coal barges will be transferred to a 5000 gallon holding tank for solid separation and possible further remediation then discharged.

B. FEE RATE

1. Fee Rating Facility Type: minor
2. Complexity Type: II
3. Wastewater Type: III
4. SIC code: 4491, 3731

C. LOCATION – operating at locations in Bayou Petite Anse – Avery Island, the Charenton Canal – Baldwin, and the New Iberia Southern Drainage Canal – Port of Iberia in Iberia and St. Mary Parishes

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3. **OUTFALL INFORMATION**

Outfall 001

Discharge Type: dry commodity vessel washwater
Treatment: holding tank for separation
Location: at the point of discharge from the vessel being washed prior to combining with other waters
Flow: intermittent
Discharge Route: Bayou Petite Anse, the Charenton Canal, and the New Iberia Southern Drainage Canal

Outfall 002

Discharge Type: coal and coke vessel washwater
Treatment: holding tank for separation
Location: at the point of discharge from the vessel being washed prior to combining with other waters
Flow: intermittent
Discharge Route: Bayou Petite Anse, the Charenton Canal, and the New Iberia Southern Drainage Canal

4. **RECEIVING WATERS**

STREAM - Bayou Petite Anse

BASIN AND SEGMENT - Vermilion Teche Basin, Segment 060901

DESIGNATED USES - a. primary contact recreation
b. secondary contact recreation
c. propagation of fish and wildlife

STREAM - Charenton Canal

BASIN AND SEGMENT - Vermilion Teche Basin, Segment 060601

DESIGNATED USES - a. primary contact recreation
b. secondary contact recreation
c. propagation of fish and wildlife
d. drinking water supply

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STREAM - New Iberia Southern Drainage Canal

BASIN AND SEGMENT - Vermilion Teche Basin, Segment 060904

DESIGNATED USES - a. primary contact recreation
 b. secondary contact recreation
 l. limited aquatic life and wildlife use

5. TMDL STATUS

Subsegment 060901 is not listed on LDEQ's Final 2006 303(d) list as impaired. However, subsegment 060901 was previously listed as impaired for suspended solids/turbidity/siltation, nutrients, organic enrichment/low DO, pathogen indicators, carbofuran, and phosphorus for which the below TMDL's have been developed.

The following TMDL's have been established for subsegment 060901:

The TMDL for TSS, Turbidity, and Siltation was completed May 2001. As stated in this TMDL, point sources do not represent a significant source of TSS as defined in this TMDL. To protect against the further impairment of the suspended solids/turbidity/siltation cause, the TSS reporting requirement remains in the permit.

The Bayou Petite Anse TMDL's for Dissolved Oxygen and Nutrients was completed April 2002. According to this TMDL, all facilities with oxygen demanding parameters in their permit were included in the TMDL calculations, but none of them were considered large enough to be modeled explicitly. LDEQ's position regarding water quality criteria for nutrients, is that when oxygen-demanding substances are controlled and limited in order to ensure that the dissolved oxygen criterion is supported, nutrients are also controlled and limited. *See In The Matter of Sierra Club and Louisiana Environmental Network Request for Nutrient Limits*. Docket No. AHD-DR-96001. LDEQ April 29, 1996. LAC 33:IX.2707.C.f.iii allows the establishment of effluent limitations based on an indicator parameter for the pollutant of concern. LDEQ's consistent approach to controlling nutrients where the WQMP does not otherwise require specific nutrient limitations is achieved by limiting the discharge of oxygen-demanding substances through a COD limitation. Compliance with the COD limitation as the indicator parameter will result in the control of nutrients from the discharge sufficient to attain and maintain the applicable water quality standard. Effluent monitoring of the indicator parameter as conducted by the permittee in accordance with the permit in addition to LDEQ's ambient water quality monitoring program will allow for further evaluation by the Department to determine the effectiveness of the limitation. The reopener clause located in the permit allows the Department to modify or revoke and reissue the permit if the limitations as set on the indicator parameter are shown to no longer attain and maintain applicable water quality standards.

The Bayou Petite Anse TMDL for Fecal Coliform was completed April 2003. This facility's discharges were not addressed in this TMDL. Additionally, this facility has no potential to discharge fecal coliform; therefore, fecal coliform limits will not be placed in this permit.

The TMDL for Carbofuran in the Mermentau and Vermilion Teche River Basins was final on March 21,

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2002. No allocation was given to point source discharges in the Vermilion Teche River Basin. According to the TMDL, there is only one point source in the Vermilion Teche (FMC Corp. LA0064360), but it no longer discharges Carbofuran. In addition, this facility has no potential to discharge Carbofuran; therefore, requirements for Carbofuran will not be placed in this permit.

Subsegment 060904, New Iberia Southern Drainage Canal, is not listed on LDEQ's Final 2006 303(d) list as impaired. However, subsegment was previously listed for nutrients (nitrate + nitrate as N and phosphorus), suspended solids/turbidity/siltation, organic enrichment/low DO, and carbofuran for which the below TMDLs have been developed. The Department of Environmental Quality reserves the right to impose more stringent discharge limitations and/or additional restrictions in the future to maintain the water quality integrity and the designated uses of the receiving waterbodies based upon additional TMDLs and/or water quality studies. The DEQ also reserves the right to modify or revoke and reissue this permit based upon any changes to established TMDL's for this discharge, or to accommodate for pollutant trading provisions in approved TMDL watersheds as necessary to achieve compliance with water quality standards.

The following TMDLs have been established for subsegment 060904:

The New Iberia Southern Drainage Canal TMDL's for Dissolved Oxygen & Nutrients was completed April 2002. As per the TMDL, only one point source, The City of New Iberia WWTP, required a treatment upgrade. LDEQ's position regarding water quality criteria for nutrients, is that when oxygen-demanding substances are controlled and limited in order to ensure that the dissolved oxygen criterion is supported, nutrients are also controlled and limited. *See In The Matter of Sierra Club and Louisiana Environmental Network Request for Nutrient Limits*. Docket No. AHD-DR-96001. LDEQ April 29, 1996. LAC 33:IX.2707.C.f.iii allows the establishment of effluent limitations based on an indicator parameter for the pollutant of concern. LDEQ's consistent approach to controlling nutrients where the WQMP does not otherwise require specific nutrient limitations is achieved by limiting the discharge of oxygen-demanding substances through a COD limitation. Compliance with the COD limitation as the indicator parameter will result in the control of nutrients from the discharge sufficient to attain and maintain the applicable water quality standard. Effluent monitoring of the indicator parameter as conducted by the permittee in accordance with the permit in addition to LDEQ's ambient water quality monitoring program will allow for further evaluation by the Department to determine the effectiveness of the limitation. The reopener clause located in the permit allows the Department to modify or revoke and reissue the permit if the limitations as set on the indicator parameter are shown to no longer attain and maintain applicable water quality standards.

The TMDL for TSS, Turbidity, and Siltation was completed May 2001. As stated in this TMDL, point sources do not represent a significant source of TSS as defined in this TMDL. To protect against the further impairment of the suspended solids/turbidity/siltation cause, the TSS reporting requirement remains in the permit.

The TMDL for Carbofuran in the Mermentau and Vermilion Teche River Basins was final on March 21, 2002. No allocation was given to point source discharges in the Vermilion Teche River Basin. According to the TMDL, there is only one point source in the Vermilion Teche (FMC Corp. LA0064360), but it no longer discharges Carbofuran. In addition, this facility has no potential to discharge Carbofuran; therefore, requirements for Carbofuran will not be placed in this permit.

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Subsegment 060601, the Charenton Canal, is not listed on LDEQ's Final 2006 303(d) list as impaired. However, subsegment was previously listed for suspended solids/turbidity/siltation, nutrients, organic enrichment/low DO, and phosphorus for which the below TMDLs have been developed.

The following TMDL's have been established for subsegment 060601:

The TMDL for TSS, Turbidity, and siltation for the Bayou Teche Watershed was completed May 3, 2001. As per this TMDL, point sources do not represent a significant source of TSS as defined in this TMDL. This TMDL only addresses the landform contribution of TSS/sediment and does not address the insignificant point source contributions. To protect against the further impairment of the suspended solids/turbidity/siltation cause, the TSS reporting requirement remains in the permit.

The Charenton Drainage and Navigation Canal and West Cote Blanche Bay TMDLs for Dissolved Oxygen and Nutrients was completed April 2002. As per the TMDL only one point source was explicitly included in the model, the Town of Baldwin Wastewater Treatment Plant. Additionally, there were no reductions in minor point sources. LDEQ's position regarding water quality criteria for nutrients, is that when oxygen-demanding substances are controlled and limited in order to ensure that the dissolved oxygen criterion is supported, nutrients are also controlled and limited. *See In The Matter of Sierra Club and Louisiana Environmental Network Request for Nutrient Limits*. Docket No. AIID-DR-96001. LDEQ April 29, 1996. LAC 33:IX.2707.C.f.iii allows the establishment of effluent limitations based on an indicator parameter for the pollutant of concern. LDEQ's consistent approach to controlling nutrients where the WQMP does not otherwise require specific nutrient limitations is achieved by limiting the discharge of oxygen-demanding substances through a COD limitation. Compliance with the COD limitation as the indicator parameter will result in the control of nutrients from the discharge sufficient to attain and maintain the applicable water quality standard. Effluent monitoring of the indicator parameter as conducted by the permittee in accordance with the permit in addition to LDEQ's ambient water quality monitoring program will allow for further evaluation by the Department to determine the effectiveness of the limitation. The reopener clause located in the permit allows the Department to modify or revoke and reissue the permit if the limitations as set on the indicator parameter are shown to no longer attain and maintain applicable water quality standards.

The Department of Environmental Quality reserves the right to impose more stringent discharge limitations and/or additional restrictions in the future to maintain the water quality integrity and the designated uses of the receiving waterbodies based upon additional TMDLs and/or water quality studies. The DEQ also reserves the right to modify or revoke and reissue this permit based upon any changes to established TMDL's for this discharge, or to accommodate for pollutant trading provisions in approved TMDL watersheds as necessary to achieve compliance with water quality standards.

6. CHANGES FROM PREVIOUS PERMIT

- A monthly average reporting requirement for TSS has been added to Outfall 002.

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7. COMPLIANCE HISTORY/COMMENTS

There was an inspection at the facility as a result of Hurricane Rita. The facility was still operating, had electricity, and there was no release from any tanks or equipment.

A DMR review was conducted for the last two years (9/07 – 9/09). All DMR's were submitted in accordance with the existing permit. The excursions were as follows:

Date	Parameter	Outfall	Reported Value	Permit Limits
12/08	COD	002	688 mg/L	250/400 mg/L
11/08	COD	002	581 mg/L	250/400 mg/L
11/08	COD	002	616 mg/L	250/400 mg/L
8/08	COD	002	678 mg/L	250/400 mg/L
7/08	COD	002	760 mg/L	250/400 mg/L
5/08	COD	002	760 mg/L	250/400 mg/L
1/08	COD	002	702 mg/L	250/400 mg/L

8. EXISTING EFFLUENT LIMITS

Outfall 001 – dry commodity barge wash water

No effluent limitations were established for rig washwater and stormwater runoff. Best Management Practices (BMPs) for barge operations were included in Part II.

Outfall 002 – coal and coke barge washwater

Parameter	LPDES	
	Monthly Average	Daily Maximum
Flow	Report 1/week Est.	Report 1/week Est.
COD	250 mg/L 1/week Grab	400 mg/L 1/week Grab
TSS	---	Report 1/month Grab
pH	6.0-9.0 s.u. 1/week Grab	

9. ENDANGERED SPECIES

The receiving waterbodies, Subsegment 060901, 060904, and 060601, of the Vermilion-Teche Basin are not listed in Section II.2 of the Implementation Strategy as requiring consultation with the U.S. Fish and

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Wildlife Service (FWS). This strategy was submitted with a letter dated November 17, 2008 from Rieck (FWS) to Nolan (LDEQ). Therefore, in accordance with the Memorandum of Understanding between the LDEQ and the FWS, no further informal (Section 7, Endangered Species Act) consultation is required. The effluent limitations established in the permit ensure protection of aquatic life and maintenance of the receiving water as aquatic habitat. Therefore, the issuance of the LPDES permit is not likely to have an adverse effect on any endangered or candidate species or the critical habitat.

10. HISTORIC SITES

The discharge is from an existing facility location, which does not include an expansion on undisturbed soils. Therefore, there should be no potential effect to sites or properties on or eligible for listing on the National Register of Historic Places, and in accordance with the "Memorandum of Understanding for the Protection of Historic Properties in Louisiana Regarding LPDES Permits" no consultation with the Louisiana State Historic Preservation Officer is required.

11. TENTATIVE DETERMINATION

On the basis of preliminary staff review, the Department of Environmental Quality has made a tentative determination to issue a permit for the discharge described in the application.

12. PUBLIC NOTICES

Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit and may request a public hearing to clarify issues involved in the permit decision at this Office's address on the first page of the statement of basis. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.

Public notice published in:

Local newspaper of general circulation

Office of Environmental Services Public Notice Mailing List

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Rationale for Big R Towing, Inc.

1. Outfall 001: dry commodity vessel washwater

Based on BPJ and on permits for similar facilities, no effluent limitations are established for washwaters from barges previously containing dry commodities including those commodities listed in Attachment I. Best Management Practices (BMPs) for barge operations are listed in Part II.

2. Outfall 002: coal and coke vessel washwater

Pollutant	Limitation		Reference
	Monthly Avg	Daily Max	
	mg/L		
Flow	Report	Report	LAC 33:IX.2701.1.1.b
COD	250	400	Similar discharges (BPJ)
TSS	Report	Report	Similar discharges (BPJ)
pH, s.u.	6.0 (min)	9.0 (max)	Similar discharges (BPJ)

BPJ Best Professional Judgment

Treatment: holding tank for separation

Monitoring Frequency: TSS shall be monitored once per month and Flow, COD and pH shall be monitored once per week at the point of discharge from the vessel being washed prior to combining with other waters.

Limits Justification: Limits and Monitoring Frequency are based on current guidance for similar discharges from other industrial facilities.

Limits Justification: Limits and Monitoring Frequency are based on 40 CFR 442, Subpart D and on current guidance for similar discharges from other facilities.

This facility is not subject to Effluent Limitations Guidelines for Transportation Equipment Cleaning, 40 CFR Part 442, because, in accordance with 40 CFR 442.1.a, "this part applies to discharges resulting from cleaning the interior of tanks used to transport chemical, petroleum or food grade cargos." This facility cleans barges and vessels containing dry commodities only. This facility does not clean barges and vessels containing chemical, petroleum or food grade cargos as defined in 40 CFR 442.

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Storm Water Pollution Prevention Plan (SWP3) Requirement

As per LAC33:IX.2511.B.14.k, stormwater discharges from facilities classified as SIC Codes 4491 and 3731 are considered to be associated with industrial activities and accordingly require SWP3 requirements. However, an SWP3 is not included in the permit because the facility is a water related operation only. Barge BMPs are comparable to the SWP3 requirements; therefore, the barge BMPs will be applied instead.

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ATTACHMENT 1

Outfall 001

Salt
Barite
Sugar and glucose products
Aggregate
Lime
Steel pipe
Iron ore
Logs
Pig iron
Bark
Stone
Scrap metal
Slag
Gravel
Gypsum
Iron oxide
Wire rods
Wood products
Grain products

Outfall 002

Coal
Petroleum coke